

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA  
Montana Eighteenth Judicial District Court, County of Gallatin

STATE OF MONTANA,	)	
	)	
Plaintiff,	)	
	)	CAUSE NO. DC-17-146
	)	
	)	DECISION
ERIC BLAINE CARVER,	)	
	)	
Defendant.	)	

On January 2, 2019, the Defendant was sentenced to the Department of Corrections for ten (10) years, with five (5) years suspended, for the offense of Count I: Violation of Duty to Render Aid in Accident Involving Serious Bodily Injury to Another Person, a Felony. The Court recommended placement in the Corrections Connections Program. The Defendant's driver's license was suspended with the length of suspension to be determined by the Department of Motor Vehicles. He was ordered to pay restitution in the amount of \$163,454.23 plus a 10% administration fee, and court surcharges. Defendant received 134 days for time served.

On May 3, 2019, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). The Defendant appeared by video conferencing from the Butte-Silver Bow Courthouse and was represented by Brent Getty of the Office of the State Public Defender. The State was not represented. Edward Moores, victim of the crime, was present and gave a statement.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that he understood this and stated that he wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is **AFFIRMED**.

Done in open Court this 3<sup>rd</sup> day of May, 2019.

DATED this 30<sup>th</sup> day of May, 2019.

SENTENCE REVIEW DIVISION



Hon. Brenda Gilbert, Chairperson



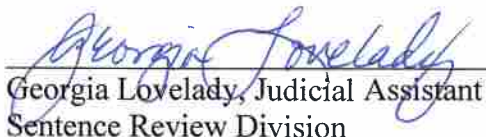
Hon. Dan Wilson, Member



Hon. Luke Berger, Member

Copies mailed this 4<sup>th</sup> day  
of June, 2019, to:

Clerk of District Court (Original)  
Eric Blaine Carver #3025774, Defendant (2)  
Hon. John Brown  
Brent Getty, Defense Counsel  
Bjorn E. Boyer, Esq.  
Gallatin County Victim Advocate  
Board of Pardons and Parole  
MSP - Records Dept.



Georgia Lovelady, Judicial Assistant  
Sentence Review Division